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REMARKS

The present response is to the Office Action mailed in the above-referenced case on March 16, 2005. Claims 29-38 are standing for examination. The Examiner has rejected claims 33 and 38 under 35 U.S.C. 112, second paragraph. Claims 29-38 are rejected under 35 U.S.C. 102(e) as being by Alegre et al. (US 6,199,113) hereinafter Alegre.

Applicant has carefully studied the prior art cited and applied by the Examiner, and the Examiner's rejections and statements in the instant Office Action. In response, applicant herein presents valid arguments clearly showing that the reference of Alegre fails to read on applicant's invention, as claimed. Applicant provides amendments to claims 33 and 38 to overcome the vague language.

Regarding claim 29, the Examiner states that Alegre teaches a verification server for performing verification wherein the request for authentication comprises a network destination for at least one site requiring log-in by the user (Alegre col. 5, lines 21-27), and a username-password pair for the user (Alegre: col. 4, lines 25-31), and the user, in response to the request, causes navigation to the at least one site and a login attempt with the username-password pair, successful login comprising authentication (Alegre: col. 5, lines 41-47; col. 7, lines 8-13).

Applicant must respectfully disagree with the Examiner's interpretation of the art of Alegre and the manner in which the Examiner presents the rejection. Applicant's claim 29 specifically recites:

A verification engine, comprising:

a network-connected server; and

code executable on the server for performing identity verification of a person for a requester;

wherein the engine accepts a verification request from the requester, the request comprising information identifying at least one network site and information common to

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the person and the site, interacts with the site using the common information, and returns an indication of verification based upon the interaction.

Clearly recited in the above claim, verification of the user's identity does not occur prior to navigation to the at least one network site associated with the request. The engine navigates to the network site associated with the request and when successful login occurs, authentication also occurs. Applicant argues that in the art of Alegre authentication of the user's identity occurs prior to accessing the URL associated with the request via access to another server.

Column 5, lines 21-27 of Alegre describes the flowchart of Fig. 4 wherein the first time a user attempts to access trusted network 138, browser 314 first displays the home page on display 310 (step 410). In response to a request from the user, browser 314 sends a request, such as a URL, over Internet 114 (step 412), and waits for a response (step 414) by entering a wait state for a period of time (step 416).

Applicant interprets the above teaching of Alegre as when the user enters a desired URL, which is located on a trusted network, the act is recognized as a request by the system of Alegre. Web host 210, then intercepts the URL request and initiates an authentication procedure before accessing the URL for the information requested by the user. If the UID and PWD are authenticated, web host 210 sends trusted network access presentation information and a cookie with the session key and browser 314 stores the cookie (step 428) and the user has access to the URL. Applicant argues that the URL is not accessed until authentication has taken place (col. 7, lines 38-43 and Col. 8, lines 8-20). The Office has consistently upheld the requirement that, in a 102(e) rejection, not only do all of the limitations of applicant's claims be shown in the art, but they also must be shown in the same order as in applicant's claims.

Applicant believes claim 29 is patentable as argued above. Claims 30-32 are patentable on their own merits, or at least as depended from a patentable claim. Claim 33 is applicant's method claim reciting the same order of limitations as claim 29. The art does not teach accepting a verification request *comprising a site identity and information*

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common to the site and the person, interacting with the site using the common information, and determining a level of verification for the requester *based on the interaction*. Therefore, method claim 33 is patentable using the same argument provided on behalf of claim 29. Claims 34-38 are patentable on their own merits or at least as depended from a patentable claim.

All of the claims are clearly patentable over the art cited and applied, because the art, while many of the navigation and log-in techniques may be shown in isolated instances, does not teach the elements claimed in association. It is therefore respectfully requested that this application be reconsidered, the claims be allowed, and that this case be passed quickly to issue.

If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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